

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	CONSENT ORDER OF
Revocation of the Educator)	
)	SUSPENSION
Certificate of Vincent M. Binion,)	
)	
Certificate 129073)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 12, 2005. On April 22, 2005, the South Carolina Department of Education (Department) sent Vincent M. Binion a notice of his right to a hearing before the State Board concerning the possible revocation of his South Carolina educator certificate 129073 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Binion received the notice as evidenced by a postal receipt bearing his signature. Mr. Binion subsequently agreed to waive his right to a hearing and to accept the voluntary suspension of his certificate for a two-year period that would commence retroactively on June 1, 2005, and end on May 31, 2007. After considering the evidence presented, the State Board voted to order the suspension of Mr. Binion's certificate under the agreed upon terms.

Vincent M.
Binion
129073

Initial Here

Date

FINDINGS OF FACT

Mr. Binion holds a South Carolina certificate with over twenty-two years of experience. Mr. Binion received his South Carolina educator certificate in 1981 but did not teach in South Carolina until the 2004-2005 school year, at which time Mr. Binion was employed as a special education teacher at Northside Middle School in Greenwood School District Fifty (District). On August 29, 2005, Mr. Binion resigned from the District after allegations arose that he made an inadvisable comment to a student.

In 1996, Mr. Binion voluntarily surrendered his Florida educator certificate following his 1992 criminal conviction for wire fraud and allegations that he withheld information about his past criminal record when applying for employment.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2004), S.C. Code Ann. §59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct and crimes against the law of this State or the United States. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the information presented supports its determination that just cause exists to suspend Mr. Binion's certificate 129073, commencing retroactively on June 1, 2005, through May 31, 2007. If Mr. Binion wishes to have his certificate reinstated at the end of the suspension period, Mr. Binion may make a written request to the Office of Educator Certification of the Department, and must pass a character and fitness review by the State Board of Education. The character and fitness review may require a full criminal record check, at Mr. Binion's expense, as well as evidence of continued participation in an alcohol abuse program.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina

October 12, 2005

I, Vincent M. Binion, SC Educator Certificate 129073, do hereby agree to the proposed Consent Order of Suspension, consisting of two pages, and understand that this Order will be presented to the State Board of Education for approval on October 12, 2005.

/S/ Vincent Binion
Vincent M. Binion

10/06/05
Date